

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOHN RICHARD PENWARDEN,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. C20-5541 RAJ

**ORDER EXTENDING DEADLINE
FOR SERVICE**

Plaintiff, proceeding *pro se*, commenced this civil action by filing a complaint in the District of Oregon on March 23, 2020. *See* Dkt. #1; Federal Rule of Civil Procedure (Fed. R. Civ. Proc.) 3. The action was transferred to the Western District of Washington in June 2020. Dkt. #9, 10.

Plaintiff was required to serve the complaint and summons on Defendant within 90 days after the complaint was filed. Fed. R. Civ. Proc. 4(b), (m). Plaintiff was instructed how to do so in the Order Directing Issuance of Summons and accompanying attachments: fill in Defendant's name and address on the summons form provided and return it to the Clerk's Office. Dkt. #12-1. After the Clerk's Office issues the summons, Plaintiff was instructed to effectuate service by emailing a copy of the complaint and summons to Defendant at USAWAW.SSAClerk@usdoj.gov, and file proof of service with the court as required by Rule 4 of the Federal Rules of Civil Procedure. *See* Dkt. #12.

1 “If a defendant is not served within 90 days after the complaint is filed, the court – on
2 motion or on its own after notice to the plaintiff – must dismiss the action without prejudice
3 against that defendant or order that service be made within a specified time.” Fed. R. Civ. Proc.
4 4(m). Because Plaintiff is proceeding *pro se*, and this action was transferred from the
5 jurisdiction in which Plaintiff originally filed it, the Court will grant additional time for service to
6 be completed. Accordingly, the Court hereby **ORDERS** the date by which Plaintiff must serve
7 Defendant extended to October 22, 2020. If service is not completed by that date, the Clerk’s
8 Office is directed to **DISMISS** this action without prejudice.

9 The Clerk’s Office is directed to mail a copy of this Order and the Order Directing
10 Issuance of Summons, including attachments, (Dkt. #12) to Plaintiff’s mailing address.

11 DATED this 17th day of September, 2020.

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14 The Honorable Richard A. Jones
15 United States District Judge
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